

## **REMARKS / ARGUMENTS**

In complete response to the outstanding Official Action of August 22, 2005, on the above-identified application, reconsideration is respectfully requested. Claims 13 – 17 remain in this application.

Claim 13 has been amended to include the term “wherein said first portion of feed air is mixed with additional compressed air resulting in a combined feed air stream.” Support for this may be found in the specification at page 9, lines 5 – 7, as well as in Figure 1.

### **Claim Rejections Under 35 U.S.C. § 103**

Claims 13 – 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Drnevich et al '036 in view of Rathbone '016. Claim 13 has been amended to include an element that is not found in either Drnevich et al '036 or Rathbone '016, thereby rendering these rejections moot as pertaining to Claim 13. Since claims 14 – 16 are dependent upon Claim 13, they are also free of the prior art.

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Drnevich et al '036 in view of Rathbone '016 and further in view of Drnevich '875. Claim 13 has been amended to include an element that is not found in either Drnevich et al '036, Rathbone '016, or Drnevich '87, thereby rendering these rejections moot as pertaining to Claim 17, which is dependent upon claim 13.

### **Double Patenting**


Claims 13 – 17 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-13 of Brugerolle

et al. '207. Applicant respectfully overcomes this rejection with the concurrent filing of a terminal disclaimer.

## CONCLUSION

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,



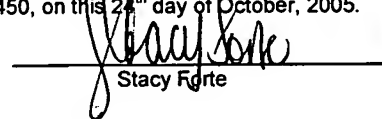
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### CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 24<sup>th</sup> day of October, 2005.

  
Stacy Forte